JC03 Rec'd PCT/PTO 29 APR

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## TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) **CONCERNING A SUBMISSION UNDER 35 U.S.C. 371**

ATTORNEY'S DOCKET NUMBER

known, see 37 CFR 1.5)

INTERNATIONAL APPLICATION NO

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| PCT/EP2003/011698 22 October 2003 (22.10.2003) 30 October 2002 (30.10.2002)                                                                                       |  |  |  |  |  |  |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|--|--|--|--|--|
| TITLE OF INVENTION Pesticide Formulations Containing Alkoxylated Amines                                                                                           |  |  |  |  |  |  |
| APPLICANT(S) FOR DO/EO/US Franz Xaver SCHERL, Joachim HESS and Ralf ZERRER                                                                                        |  |  |  |  |  |  |
| Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:                                   |  |  |  |  |  |  |
| This is a FIRST submission of items concerning a submission under 35 U.S.C. 371.                                                                                  |  |  |  |  |  |  |
| This is a SECOND or SUBSEQUENT submission of items concerning a submission under 35 U.S.C. 371.                                                                   |  |  |  |  |  |  |
| This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below. |  |  |  |  |  |  |
| The US has been elected (Article 31).                                                                                                                             |  |  |  |  |  |  |
| A copy of the International Application as filed (35 U.S.C. 371(c)(2))                                                                                            |  |  |  |  |  |  |
| a. is attached hereto (required only if not communicated by the International Bureau).                                                                            |  |  |  |  |  |  |
| b. has been communicated by the International Bureau.                                                                                                             |  |  |  |  |  |  |
| c. is not required, as the application was filed in the United States Receiving Office (RO/US).                                                                   |  |  |  |  |  |  |
| 6. X An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).                                                             |  |  |  |  |  |  |
| a. $X$ is attached hereto.                                                                                                                                        |  |  |  |  |  |  |
| b. has been previously submitted under 35 U.S.C. 154(d)(4).                                                                                                       |  |  |  |  |  |  |
| 7. X Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))                                                         |  |  |  |  |  |  |
| a. are attached hereto (required only if not communicated by the International Bureau).                                                                           |  |  |  |  |  |  |
| b. have been communicated by the International Bureau.                                                                                                            |  |  |  |  |  |  |
| c. have not been made; however, the time limit for making such amendments has NOT expired.                                                                        |  |  |  |  |  |  |
| d. $oxed{X}$ have not been made and will not be made.                                                                                                             |  |  |  |  |  |  |
| 8. An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).                                                    |  |  |  |  |  |  |
| 9. An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).                                                                                               |  |  |  |  |  |  |
| 10. An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).                |  |  |  |  |  |  |
| Items 11 to 20 below concern document(s) or information included:                                                                                                 |  |  |  |  |  |  |
| 11. An Information Disclosure Statement under 37 CFR 1.97 and 1.98.                                                                                               |  |  |  |  |  |  |
| 12. An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.                                             |  |  |  |  |  |  |
| 13. X A preliminary amendment.                                                                                                                                    |  |  |  |  |  |  |
| 14. An Application Data Sheet under 37 CFR 1.76.                                                                                                                  |  |  |  |  |  |  |
| 15. A substitute specification.                                                                                                                                   |  |  |  |  |  |  |
| 16. A power of attorney and/or change of address letter.                                                                                                          |  |  |  |  |  |  |
| 17. A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821- 1.825.                                                 |  |  |  |  |  |  |
| 18. A second copy of the published International Application under 35 U.S.C. 154(d)(4).                                                                           |  |  |  |  |  |  |
| 19. A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).                                                 |  |  |  |  |  |  |
| Other items or information: Express Mail Label No.ED 795273142 US; copy of International Search Report                                                            |  |  |  |  |  |  |

This collection of information is required by 37 CFR 1.414 and 1.491-1.492. The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering information, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO-1390 (Rev. 02-2005)
Approved for use through 3/31/2007. OMB 0651-0021
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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| U.S. APPLICATION NO. (if known, see 37 CFR 1.5) INTERNATIONAL APPLICATION NO.                                                                                                                                                                                                |                                       |                                                                               |                                        | ATTORNEY'S DOCKET NUMBER |                        |              |  |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------|-------------------------------------------------------------------------------|----------------------------------------|--------------------------|------------------------|--------------|--|
| 10/533429 PCT/EP2003/011698                                                                                                                                                                                                                                                  |                                       |                                                                               |                                        | 2002DE436                |                        |              |  |
| The following fees have been submitted                                                                                                                                                                                                                                       |                                       |                                                                               |                                        |                          | CALCULATIONS           | PTO USE ONLY |  |
| 21. X Basic national fee\$300                                                                                                                                                                                                                                                |                                       |                                                                               |                                        | \$ 300.00                |                        |              |  |
| 22. X Examination fee  If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4)                                                                                                                          |                                       |                                                                               |                                        |                          | \$ 200.00              |              |  |
| 23. Search fee Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority                                                                                                                           |                                       |                                                                               |                                        |                          | 400.00<br>\$           |              |  |
|                                                                                                                                                                                                                                                                              | TOTAL OF 21 2                         | 2 and 23 =                                                                    | ************************************** | , ,                      | \$ 900.00              |              |  |
| TOTAL OF 21, 22 and 23 =  Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium).  The fee is \$250 for each additional 50 sheets of paper or fraction thereof. |                                       |                                                                               |                                        |                          | 700.00                 |              |  |
| Total Sheets                                                                                                                                                                                                                                                                 | Extra Sheets                          | Number of each additional 50 or fraction thereof (round up to a whole number) |                                        | RATE                     |                        |              |  |
| 17 <sub>- 100</sub> =                                                                                                                                                                                                                                                        | 17 - 100 = -94 /50 =                  |                                                                               | x \$250                                |                          | \$ 0.00                |              |  |
| Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(h)).                                                                                                                                 |                                       |                                                                               |                                        |                          | \$ 0.00                |              |  |
| CLAIMS                                                                                                                                                                                                                                                                       | NUME                                  | ER FILED                                                                      | NUMBER EXTRA                           | RATE                     | \$                     | <del></del>  |  |
| Total claims                                                                                                                                                                                                                                                                 |                                       | 15 - 20 =                                                                     | 0                                      | × \$ 50                  | \$ 0.00                |              |  |
| Independent clair                                                                                                                                                                                                                                                            | ms                                    | 2 -3=                                                                         | 0                                      | × \$200                  | \$ 0.00                |              |  |
| MULTIPLE DEPENDENT CLAIM(S                                                                                                                                                                                                                                                   |                                       | S) (if applicable)                                                            |                                        | + \$360                  | \$ 0.00                |              |  |
|                                                                                                                                                                                                                                                                              | · · · · · · · · · · · · · · · · · · · |                                                                               | TOTAL OF ABOVE                         | CALCULATIONS =           | \$ 900.00              |              |  |
| Applicant cla                                                                                                                                                                                                                                                                | aims small entity s                   | tatus. See 37 CF                                                              | R 1.27. Fees above are reduc           | ced by 1/2.              | 0.00                   | 1            |  |
| SUBTOTAL =                                                                                                                                                                                                                                                                   |                                       |                                                                               |                                        |                          | \$ 900.00              |              |  |
| Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).                                                                                                                            |                                       |                                                                               |                                        |                          | \$ 0.00                |              |  |
| TOTAL NATIONAL FEE =                                                                                                                                                                                                                                                         |                                       |                                                                               |                                        |                          | \$ 900.00              |              |  |
| Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +                                                                                                     |                                       |                                                                               |                                        |                          | \$ 0.00                |              |  |
|                                                                                                                                                                                                                                                                              | <u> </u>                              |                                                                               | TOTAL F                                | EES ENCLOSED =           | \$                     | 940.00       |  |
|                                                                                                                                                                                                                                                                              |                                       |                                                                               |                                        |                          | Amount to be           | \$           |  |
|                                                                                                                                                                                                                                                                              |                                       |                                                                               |                                        |                          | refunded: Amount to be | \$           |  |
| a. A check in the amount of \$ to cover the above fees is enclosed.                                                                                                                                                                                                          |                                       |                                                                               |                                        |                          |                        |              |  |
| b. $X$ Please charge my Deposit Account No. $03-2060$ in the amount of \$ $900.00$ to cover the above fees.                                                                                                                                                                  |                                       |                                                                               |                                        |                          |                        |              |  |
| A duplicate copy of this sheet is enclosed.  c. X The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit                                                                                            |                                       |                                                                               |                                        |                          |                        |              |  |
| c. X The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 03-2060 . A duplicate copy of this sheet is enclosed.                                                                       |                                       |                                                                               |                                        |                          |                        |              |  |
| d. Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.                                                 |                                       |                                                                               |                                        |                          |                        |              |  |
| NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.                                                               |                                       |                                                                               |                                        |                          |                        |              |  |
| SEND ALL CORRESPONDENCE TO:                                                                                                                                                                                                                                                  |                                       |                                                                               |                                        |                          |                        |              |  |
| Richard P. S                                                                                                                                                                                                                                                                 | ilverman                              | Yez                                                                           |                                        |                          |                        |              |  |
| Clariant Corporation Intellectual Property Law Department Richard P. S.                                                                                                                                                                                                      |                                       |                                                                               |                                        |                          | ilverman               |              |  |
| name NAME                                                                                                                                                                                                                                                                    |                                       |                                                                               |                                        |                          | iiveiiiaii             |              |  |
| 4000 Monroe Road Charlotte, NC 28205 Charlotte, NC 28205 CUSTOMER NO. 25,255 REGISTRATION NUMBER                                                                                                                                                                             |                                       |                                                                               |                                        |                          |                        |              |  |
| REGISTRATION NUMBER                                                                                                                                                                                                                                                          |                                       |                                                                               |                                        |                          |                        |              |  |

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

## Express Mail Label Number ED 795273142 US

Date of Mailing: April 29, 2005

## **CERTIFICATION UNDER 37 CFR 1.10**

I hereby certify that on the date indicated above this International application and the documents referred to as enclosed therein, of:

- CERTIFICATION UNDER 37 CFR 1.10 (Express Mail) (1 page)
- TRANSMITTAL LETTER TO THE DO/EO/US (2 pages) w/ duplicate (4 pages)
- Copy of International Search Report (4 pages)
- Preliminary Amendment w/ Abstract (09 pages)
- ENGLISH TRANSLATION OF APPLICATION (17 PAGES SPECIFICATION, claims) (claims 14 in number)

Inventor: Franz Xaver SCHERL, Joachim HESS and Ralf ZERRER

For: Pesticide Formulations Containing Alkoxylated Amines

International Application No.: PCT/EP2003/011698

International Filing Date: 22 October 2003 Priority Filing Date: 30 October 2002

is being deposited with the United States Postal Service as "Post Office to Addressee" Express Mail addressed to the Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, Mail Stop:, in accordance with 37 CFR 1.10.

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Vicki L. Sgro